



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
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NEW YORK, N.Y. 10281-1022

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# MEMO ENDORSED

June 17, 2008

By Fax (212-805-7949)

The Honorable P. Kevin Castel  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

*Conference  
adjourned from  
June 27 to 9:30 am  
September 5, 2008 at*  
*SO ORDERED*  
*JSB*  
*6-17-08*

Re: Securities and Exchange Commission v. Smart Online, Inc. et al., 07 Civ. 7980 (PKC)

Dear Judge Castel:

I represent the Plaintiff in the above captioned matter. By way of background, on October 26, 2007, the Court stayed discovery in this action pursuant to a request by the United States Attorney's Office for the Southern District of New York. I write to update the Court on the status of the parallel criminal proceeding in United States v. Dennis Michael Nouri, et al., 07-CR-1029 (DC) (S.D.N.Y.). In that case, a status conference was originally scheduled for May 12, 2008. The conference was adjourned to July 15, 2008, and according to Assistant United States Attorney Reed Brodsky, the parties are still engaged in discovery and a trial date has not been confirmed.

Your Honor previously scheduled a status conference in this matter to take place on June 27, 2008 at 10:30 a.m. We respectfully request that the Court adjourn this status conference to August 15, 2008, when we will have a better understanding on the disposition of the criminal proceeding.

Sincerely,

*Scott Black / sm*  
Scott L. Black  
Senior Trial Counsel

cc: Dennis Michael Nouri  
Reeza Eric Nouri  
Anthony Martin  
Ruben Serrano  
Allain Lustig